

Message

From: Volk, Everett [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F6467E89AABC459D8AE86701EF1A79ED-VOLK, EVERETT]
Sent: 5/7/2020 10:20:55 PM
To: Chin, Lucita [Chin.Lucita@epa.gov]
Subject: RE: Dewey Burdock - schedule for final permits

Are you working tomorrow (or today, if you're reading this on Friday)? Let's find a time to talk, and then see what comes out of the meeting with Douglas. If we need to have an internal ORC meeting after that, I can schedule it. When we talk, though, I'd like to see if there's a way to coordinate the ORC response that doesn't eat up your already busy schedule (e.g., is there a role for me?).

Everett Volk
Senior Assistant Regional Counsel
U.S. EPA Region 8
303-312-7290

From: Chin, Lucita <Chin.Lucita@epa.gov>
Sent: Thursday, May 7, 2020 7:17 AM
To: Volk, Everett <volk.everett@epa.gov>
Subject: RE: Dewey Burdock - schedule for final permits

That's ok. If you want to know where everyone is at, then it could be useful. I think everyone is in different stages, and that is dependent on the specific client working on each subject. There are some people that should be coordinating given the cross-cutting topics. I think the flurry began because Paul drafted the tribal responses by end of April, which was not a deadline for ORC so much as for Cadmus and the programs to be done.

Mai has been working with Erin, Kimi and I on the cumulative effects. Kimi just recently received the EJ stuff from the client. She is meeting with another client on ESA today. Paul and Kimi should be coordinating because of the EJ-tribal crossover. Mike should probably coordinate with them too because of NHPA.

Target date for completing RTC and legal review is end of June.

So, unless you really want to meet before our Monday meeting, I think it might be duplicative somewhat. Maybe if we need to, we can meet after the Monday meeting, if needed? Also, maybe you and I can talk before Monday so that I can give you a download on everything.

Let me know what you think.

Lucita Chin
Senior Assistant Regional Counsel | Office of Regional Counsel | Media Law Counseling Section
Environmental Protection Agency Region 8 | 1595 Wynkoop St. | Mail Code: 8ORC-LC-M | Denver, CO 80202
Office: (303) 312-7832

From: Volk, Everett <volk.everett@epa.gov>
Sent: Wednesday, May 6, 2020 4:08 PM
To: Chin, Lucita <Chin.Lucita@epa.gov>
Subject: RE: Dewey Burdock - schedule for final permits

Hey,

Sorry if I caught you off guard. There's been this sudden flurry of emails, and I have no sense of where we're at. Any thoughts on whether we should wait until Douglas's meeting, or whether it's worth just meeting as ORC?

E

Everett Volk
Senior Assistant Regional Counsel
U.S. EPA Region 8
303-312-7290

From: Chin, Lucita <Chin.Lucita@epa.gov>
Sent: Wednesday, May 6, 2020 3:32 PM
To: Volk, Everett <volk.everett@epa.gov>; Logan, Paul <Logan.Paul@epa.gov>; Denawa, Mai <Denawa.Mai@epa.gov>; Matsumoto, Kimi <Matsumoto.Kimi@epa.gov>; Boydston, Michael <Boydston.Michael@epa.gov>; Perkins, Erin <Perkins.Erin@epa.gov>
Cc: Joffe, Brian <Joffe.Brian@epa.gov>
Subject: RE: Dewey Burdock - schedule for final permits

That's fine. I just heard from Douglas, and he is planning to schedule a coordination meeting on Monday around noon, in case that affects your timing.

Lucita Chin
Senior Assistant Regional Counsel | Office of Regional Counsel | Media Law Counseling Section
Environmental Protection Agency Region 8 | 1595 Wynkoop St. | Mail Code: 8ORC-LC-M | Denver, CO 80202
Office: (303) 312-7832

From: Volk, Everett <volk.everett@epa.gov>
Sent: Wednesday, May 6, 2020 2:01 PM
To: Logan, Paul <Logan.Paul@epa.gov>; Denawa, Mai <Denawa.Mai@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Matsumoto, Kimi <Matsumoto.Kimi@epa.gov>; Boydston, Michael <Boydston.Michael@epa.gov>; Perkins, Erin <Perkins.Erin@epa.gov>
Cc: Joffe, Brian <Joffe.Brian@epa.gov>
Subject: RE: Dewey Burdock - schedule for final permits

Ex. 5 AC/DP

Everett

Everett Volk
Senior Assistant Regional Counsel
U.S. EPA Region 8
303-312-7290

From: Logan, Paul <Logan.Paul@epa.gov>
Sent: Wednesday, May 6, 2020 12:50 PM

To: Denawa, Mai <Denawa.Mai@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Matsumoto, Kimi <Matsumoto.Kimi@epa.gov>; Boydston, Michael <Boydston.Michael@epa.gov>; Perkins, Erin <Perkins.Erin@epa.gov>
Cc: Joffe, Brian <Joffe.Brian@epa.gov>; Volk, Everett <volk.everett@epa.gov>
Subject: RE: Dewey Burdock - schedule for final permits

Great point, Mai. I don't recall anything from Sara, but I might be misremembering, and in any event I'd welcome guidance/memos/manual/etc. for consistency. I wonder if CCILO might have something. For example, I've been going off what I've generally learned in past RTCs, but I could be off base. And I also can't recall the exact legal standards we're held to in responding to comments. Hopefully some type of manual, etc., would have that.

I could reach out to CCILO if no one else is aware of anything in response to Mai's question. Let me know.

Paul Logan

Senior Assistant Regional Counsel | EPA Region 8, Office of Regional Counsel
303.312.6854 | logan.paul@epa.gov

From: Denawa, Mai <Denawa.Mai@epa.gov>
Sent: Wednesday, May 6, 2020 11:44 AM
To: Chin, Lucita <Chin.Lucita@epa.gov>; Matsumoto, Kimi <Matsumoto.Kimi@epa.gov>; Boydston, Michael <Boydston.Michael@epa.gov>; Logan, Paul <Logan.Paul@epa.gov>; Perkins, Erin <Perkins.Erin@epa.gov>
Cc: Joffe, Brian <Joffe.Brian@epa.gov>; Volk, Everett <volk.everett@epa.gov>
Subject: RE: Dewey Burdock - schedule for final permits

Hi all,

Ex. 5 AC/DP

Thanks!

From: Chin, Lucita <Chin.Lucita@epa.gov>
Sent: Wednesday, May 6, 2020 7:46 AM
To: Matsumoto, Kimi <Matsumoto.Kimi@epa.gov>; Boydston, Michael <Boydston.Michael@epa.gov>; Logan, Paul <Logan.Paul@epa.gov>; Perkins, Erin <Perkins.Erin@epa.gov>; Denawa, Mai <Denawa.Mai@epa.gov>
Cc: Joffe, Brian <Joffe.Brian@epa.gov>; Volk, Everett <volk.everett@epa.gov>
Subject: FW: Dewey Burdock - schedule for final permits

It's possible that only the original recipients can open. Let me know if you want access and cannot do so.

Lucita Chin

Senior Assistant Regional Counsel | Office of Regional Counsel | Media Law Counseling Section
Environmental Protection Agency Region 8 | 1595 Wynkoop St. | Mail Code: 8ORC-LC-M | Denver, CO 80202

From: Bahrman, Sarah <Bahrman.Sarah@epa.gov>

Sent: Friday, February 7, 2020 1:39 PM

To: Chin, Lucita <Chin.Lucita@epa.gov>; Matsumoto, Kimi <Matsumoto.Kimi@epa.gov>; Boydston, Michael <Boydston.Michael@epa.gov>; Logan, Paul <Logan.Paul@epa.gov>

Cc: Robinson, Valois <Robinson.Valois@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>

Subject: Dewey Burdock - schedule for final permits

Hi Lucita, Kimi, Paul and Mike –

As you are probably aware, we have been working to define a schedule for issuance of the final Dewey Burdock permits. There are still a lot of moving parts, so the team is projecting finalization the last full week of August. I am still working to get Darcy and Greg's full buy-in on this timing.

Assuming the end of August date is approved, we put together a more detailed list of interim deadlines that I wanted to share with you that will help keep us on track for this overall schedule. Please take a look at let Douglas and I know if you think this is reasonable or if you have other commitments that we need to work around. WD and ORC management are meeting next Thurs 2/13 to discuss, so any feedback you have before then would be helpful (either to ORC management or to us).

Thanks,
Sarah

Sarah E. Bahrman | Chief, Safe Drinking Water Branch | U.S. Environmental Protection Agency - Region 8
(p) 303.312.6243 | (c) 303.903.8515 | (f) 877.876.9101